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U.S. DepartmenaTransportation Federal Highway Administration

Office of Motor Carrier and Highway Safety

P,O. Bow 568 87 State **Strest** Montpelier, VT **05601-0568** (**802**) **828-4480** Fax:(**802**) 82814424

FAX TRANSMISSION COVER SHEET

Date:

June 11, 1999

To:

Ryan Posten

Fax:

(202) 366-3753

Re:

Paint Striping Tanks

Sender:

Judith R. Hinds

YOU SHOULD RECEIVE 4 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (802) 828-4480.

Hi, Ryan,

Attached are:

- 1 the background explanation of our situation that I did for Hattie Mitchell and doe DeLorenzo on 04/23/99, when the issue first arose;
- 2 a drawing of the truck in question;
- 3 a manufacturer's data report for the tanks In question.

The manufacturer is Linear Dynamics Inc. of Montgomery, PA, phone (570) 547-1621. The **person** I dealt with there is Tony **Vellam, their** Director of Engineering,

Since I will be in the field next week, I'm leaving all my notes with my boss, State Director Jerry Amato.

Thanks for all the attention you're giving this.

4/23/99

Hattie and Joe,

I'm addressing this to both of you, since you both **helped** me research various aspects of this issue **in** the past few days. Joe, I would ask **you** to **forward** this note to other members of **the Cargo** Tank **TAO**, as well as **HM Specialists** in **the other** Resource Centers, to see if anyone has had experience in the field with paint stripers.

Here is a recap of the issue and what we know so far:

We have a Vermont-based interstate motor carrier whose business is highway safety marking. They use a specialized straight truck with paint tanks mounted on it (bolted on), from which the paint is sprayed onto the highway to create yellow and white lane markings. The vehicle is manufactured for this purpose by LDI (Linear Dynamics Inc.) of Montgomery, PA, which has been engaged in this manufacturing process for many years, Their engineer tells me the issue of whether this vehicle is a "cargo tank" built to DOT specs has never arisen before, The tanks themselves are 250-gallon capacity, manufactured to ASME spec. The facility has its "U" stamp, but it is not a cargo tank manufacturer as such. I have a drawing of the vehicle's configuration which I can fax to anyone who wants it.

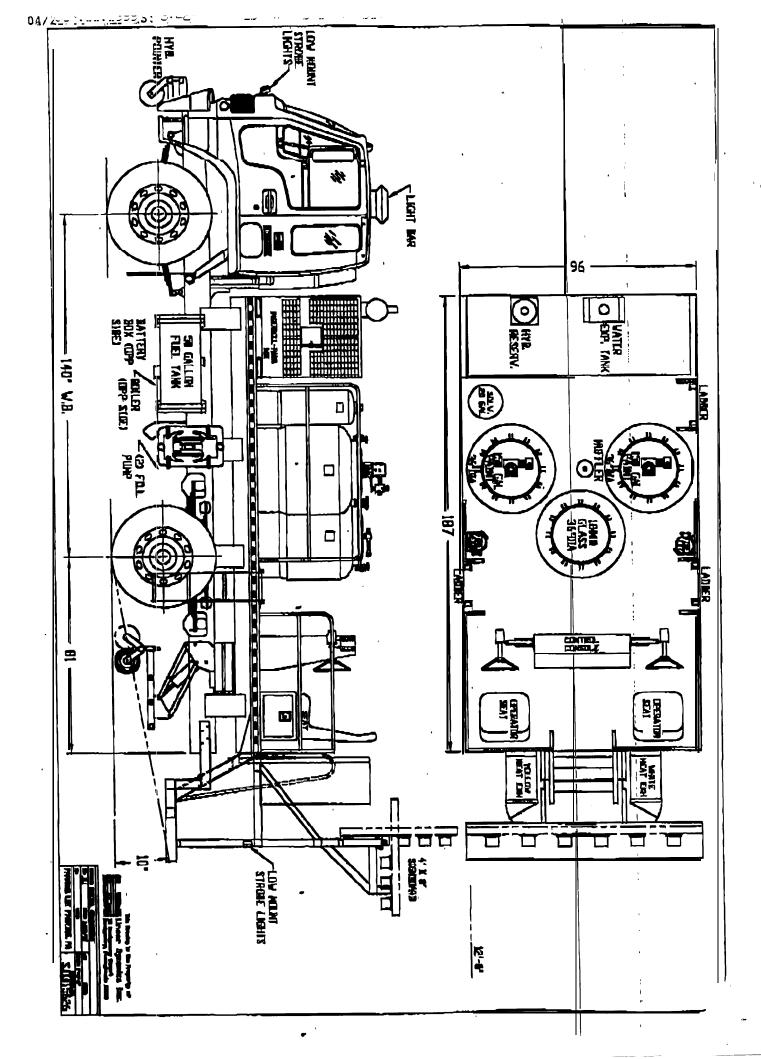
The material is Paint, 3, UN1263, P.G. II, It is heated at the moment of application, but not during transportation, so it does **not** appear **to** meet **the** definition of **an** elevated temperature material. It is solvent-based, with a flash point of **50 degrees F**.

The reason this has become an "issue" is that a Vermont MCSAP inspector ticketed the company for transporting HM in a non-spec cargo tank. I need to resolve the question of whether the carrier does indeed have to meet DOT specs. It seems highly unlikely that this question has never arisen before, given the widespread use of such vehicles on highway paving projects, So far we have not found any exemptions that apply, but we want to be sure we haven't overlooked anything,

The motor carrier plans to contact the American Traffic Safety Services Association, phone (540) 368-1701, of which it is a member, to see if they are aware of any exemptions or exceptions that have been granted to others in the industry. Hattie, you might want to check your files to see if you have anything on that association.

So there you have it, I will be out of the office Mon.-Tue. 4/26-27, but you can leave e-mails. If you want a copy of the drawing, call my office (802-828-4480) and ask Carol to fax it to you.

Thank you one and all! Judith



FORM U-1A MANUFACTURER'S DATA REPORT FOR PRESSURE VESSELS (Alternative Form for Single Chamber, Completely Birap-Fabricated Vessels Only) As Required by the Provisions of the ASME Code Rules, Sestion VIII, Division 1

| 1. Manufactured and services by Linear Dynamics Inc., 79 Montgomery St., Montgomery, PA 17752 | | | | | | | | | | | | |
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